Application No.: 09/970,432 Attorney/Docket No.: 30545.11

Customer No.: 000027683

REMARKS

Reconsideration of this application in light of the above amendments and the following remarks is requested.

The specification has been amended to include a reference to the continuation application.

Attached is a new declaration that overcomes the rejections set forth in the office actions. In this context, the rejection of claims 1-51 based on a defective reissue declaration is traversed on the ground that claims 1-51 are the original patent claims.

Claim 89 has been cancelled and its limitations have been added to claims 92 and 93 to rewrite the latter claims in independent form. In view of the fact that the rejection based on the defective declaration has been overcome, claims 92 and 93 are allowable. Also, previously rejected claims 90 and 91 have been amended to depend from claim 92 and are therefore allowable along with the remaining claims 94-108 and, of course, original patent claims 1-51.

In summary, the original patent claims 1-51, along with amended claims 90-93, and previously submitted claims 94-108 are allowable. Therefore, an early notice of allowance of claim 1-51, and 90-108 is requested.

This is to acknowledge a telephone interview between the undersigned and Examiner Novosad on December 21, 2004 in which the undersigned was informed that the amendment submitted on April 12, 2004 was not entered, and that he will enter a Notice of Non-compliance into the application today in which applicant will be given a one month response period with no additional fees required. He also indicated that if an amendment was filed in response to the advisory action presenting the claims in the above format and submitting the new declaration, the application would be in condition for allowance.

Should the Examiner have any questions or comments regarding the above, he is invited to telephone the undersigned at the number listed below.

Date:

HAYNES AND BOONE, LLP 901 Main Street, Suite 3100

Dallas, Texas 75202-5940 Telephone: 214-651-5634 Facsimile: 214-200-0853 Respectfully submitted,

Warren B. Kice

Registration No. 22,732

CERTIFICATE OF MAILING

This paper is being deposited with the U.S. Postal Service as First Class Mail addressed on the date indicated above to Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

DATE OF DEPOSIT

8-25-2013

Name of person mailing paper and fee

Signature of person mailing paper and fee